

**ANNUAL REPORT  
OF THE  
CENSUS DATA ADVISORY COMMITTEE**



**Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204**

**December 2001**

# INDIANA LEGISLATIVE COUNCIL

## 2001

Senator Robert Garton

Chairman

Columbus

Speaker John Gregg

Vice-Chairman

Sandborn

Senator Richard Young

Milltown

Representative Brian Bosma

Indianapolis

Senator Harold Wheeler

Larwill

Representative Mark Kruzan

Bloomington

Senator Joseph Harrison

Attica

Representative Dale Grubb

Covington

Senator Patricia Miller

Indianapolis

Representative William Cochran

New Albany

Senator Thomas Wyss

Fort Wayne

Representative Charlie Brown

Gary

Senator James Lewis

Charlestown

Representative Kathy Richardson

Noblesville

Senator Earline Rogers

Gary

Representative Richard Mangus

Lakeville

Philip J. Sachtleben  
Executive Director  
Legislative Services Agency

## **CENSUS DATA ADVISORY COMMITTEE**

### **Membership Roster**

#### **Senators**

Sue Landske, Chairperson  
Cedar Lake

Allie Craycraft  
Selma

Billie Breaux  
Indianapolis

Becky Skillman  
Bedford

#### **Representatives**

Thomas Krowkowski  
South Bend

Kathy Richardson  
Noblesville

Robert Behning  
Indianapolis

Duane Cheney  
Portage

#### **Staff**

Robert Rudolph  
Attorney for the Committee

Chris Baker  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.state.in.us/legislative/>.

## **I. STATUTORY DIRECTIVE**

The responsibilities of the Census Data Advisory Committee are found in IC 2-5-19-19 which reads as follows:

"Sec. 19. The committee shall do the following:

- (1) Advise and assist the Bureau of the Census in the preparation and organization of decennial census data for use by the general assembly in reapportioning the following:
  - (A) The house of representatives of the general assembly.
  - (B) The senate of the general assembly.
  - (C) The United States House of Representatives.
- (2) Work with the Bureau of the Census in defining the boundaries of census blocks in Indiana.
- (3) Coordinate Indiana's efforts to obtain an accurate population count in each decennial census.
- (4) Work with other state and federal agencies to assist in the local review program conducted in Indiana.
- (5) Work with the code revision commission to prepare legislation for introduction in the regular session of the general assembly that meets during the year of the effective date of the decennial census under IC [1-1-3.5](#) to propose amendments to Indiana law to reflect the population information obtained as a result of the decennial census.
- (6) Study costs and other relevant aspects of acquisition by the state of a geographic information system.
- (7) Make recommendations concerning changes or amendments to IC [3](#) (the elections code) to the general assembly."

## **II. INTRODUCTION**

The Committee worked on the following issues during the 2001 Interim:

- (1) Technical Corrections to the legislative redistricting plans enacted during the 2001 Session of the General Assembly.
- (2) Changes to Indiana statutes to reflect changes in Indiana population reflected in the 2000 Decennial Census. Because population data from the 2000 Census resulted in the loss of an Indiana Congressional seat, the Committee considered changes to Indiana law that might be necessary to reflect the change.
- (3) Changes to Indiana election law recommended by the Indiana Election Division.

## **III. SUMMARY OF WORK PROGRAM**

The Committee met on the following dates: August 28, September 17, October 15, November 15, and December 28. The Committee also met on March 13, 2002 to consider and adopt this final report. The Committee's approach to its work varied by each of the topics described in Part II.

The staff of the Office of Census Data of the Legislative Services Agency reviewed the redistricting statute<sup>1</sup> passed during the 2001 Session and checked the statute against the redistricting database maintained by the Legislative Services Agency. If a discrepancy could not be resolved administratively, it was brought to the Committee for review and recommendation.

Staff of the Office of Bill Drafting and Research of the Legislative Services Agency searched the Indiana Code for all references to the word "population." The resulting statutes were analyzed to determine whether use of the term was general and not affected by census results<sup>2</sup> or if census results might affect application of the statute. The Committee generally did not review statutes in the former class but reviewed those statutes that could potentially be affected by changes in Indiana population data. After reviewing a sample of the later class of statutes, the Committee determined to concentrate only on those statutes that were not open-ended but intended to describe particular political subdivisions. The Committee also reviewed those statutes affected by the loss of a Congressional seat.

For recommended changes in Indiana election law, the Committee considered suggestions made by the Indiana Election Division.

#### **IV. SUMMARY OF TESTIMONY**

The Committee heard testimony only regarding changes to Indiana election law from representatives of the Indiana Election Division and other interested parties. Committee work relating to technical changes in the 2001 redistricting statute and changes to Indiana statutes resulting from population changes consisted primarily of presentations made by Office of Census Data staff and Committee staff and discussion of those presentations.

The testimony relating to changes in Indiana election law consisted primarily of an explanation of the proposals by staff of the Indiana Election Division. A proposal to change the reimbursement of counties for replacement of voting systems from 50% of costs to not more than 50% of costs stimulated the most discussion.

Election Division staff explained that the recommendation to change the reimbursement language was made because the current estimates for replacing voting systems mandated by legislation enacted during the 2001 Session greatly exceeded the amount of money the General Assembly committed to the project. The Association of Indiana Counties and some committee members expressed the view that adopting the proposal would undercut the commitment the General Assembly made during the 2001 Session to modernize voting systems.

#### **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

---

1. IC 2-1-9, IC 2-1-10, and IC 2-1-11 as enacted by P.L. 212-2001.

2. The Committee's own statute, IC 2-5-19-19, stated above in Part I, am an example of this type of statute. Note the reference to "an accurate population count" in section 19(3).

(A) Redistricting Technical Corrections<sup>3</sup>

The Committee recommends that the General Assembly enact a bill based on PD 3577.<sup>4</sup>

(B) Changes in Indiana Statutes to Reflect Changes in Indiana Population Data Resulting from the 2000 Decennial Census<sup>5</sup>

The Committee recommends that the General Assembly enact a bill based on PD 3312, PD 3657, PD 3687 (without SECTIONS 1, 2, and 11) and PD 3918 (as amended to include an amendment to IC 36-8-7-1).<sup>6</sup>

The Committee recommends that the General Assembly adopt a joint resolution to amend the Indiana constitution to permit local legislation based on a draft presented by Representative Cheney on December 18, 2001.<sup>7</sup>

(C) Changes in Indiana Election Law<sup>8</sup>

The Committee recommends that the General Assembly enact a bill based on PD 3589.<sup>9</sup>

---

3. This recommendation was adopted at the Committee's November 15 meeting.

4. All Committee members present voted in favor of this recommendation. Those members were: Senator Landske, Senator Breaux, Senator Skillman, Representative Kromkowski, Representative Behning, Representative Cheney, and Representative Richardson.

5. The recommendations under this topic were adopted at the Committee's December 18 meeting.

6. All Committee members present voted in favor of this recommendation. Those members were: Senator Landske, Senator Breaux, Senator Craycraft, Representative Behning, Representative Cheney, and Representative Richardson.

7. All Committee members present voted in favor of this recommendation. Those members were: Senator Landske, Senator Breaux, Senator Craycraft, Representative Behning, Representative Cheney, and Representative Richardson.

8. This recommendation was adopted at the Committee's November 15 meeting.

9. PD 3589 makes the following changes to election law: (1) The date that electronic filing of certain campaign finance reports is considered to have occurred. (2) The total number of signatures that a candidate for President of the United States, United States Senator, or governor is required to obtain to qualify for placement on the ballot. (3) The requirement for an individual who registers to vote to provide the last four digits of the individual's Social Security number. (4) The filing of statements of organization by political committees. (5) Administrative disbanding of political committees. (6) An erroneous reference in a statute relating to absentee voting. (7) Deadlines for taking certain actions relating to filing candidate vacancies. (8) Determination of the political affiliation of an appointee to a local board. (9) Exceeding property tax levy limits for purchase of voting systems.

All Committee members present voted in favor of this recommendation. Those members were: Senator Landske, Senator Breaux, Senator Skillman, Representative Kromkowski, Representative Behning, Representative Cheney, and Representative Richardson.

The Committee present at the meeting on March 13, 2001 adopted a motion to approve this final report.<sup>10</sup>

---

10. **Those voting in favor of the motion were:** Senator Landske, Senator Breaux, Senator Skillman, Representative Cheney, and Representative Richardson.

**Those voting against the motion were:** none.

## WITNESS LIST

Matt Brase, Indiana Association of Cities and Towns.

Laurie Christie, Co-Director, Indiana Election Division.

Kristi Robertson, Co-General Counsel, Indiana Election Division.

Dale Simmons, Co-General Counsel, Indiana Election Division.

Spencer Valentine, Co-Director, Indiana Election Division.

Julia Vaughn, Common Cause of Indiana.

Travis Worl, Association of Indiana Counties.